

ASSEMBLY BILL

No. 31

Introduced by Assembly Member Beall

December 6, 2010

An act to add Chapter 9.5 (commencing with Section 66050) to Division 1 of Title 7 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 31, as introduced, Beall. Land use: high-speed rail: local master plan.

The California High-Speed Rail Act establishes the High-Speed Rail Authority to develop and implement an intercity high-speed rail system in the state, exclusively grants to the authority the responsibility for planning, construction, and operation of that system, and confers upon the authority specified powers and duties relating to that system.

The Planning and Zoning Law requires each city and county to prepare and adopt a comprehensive, long-term general plan for the physical development of the city or county and any land outside its boundaries that bears relation to its planning.

This bill would establish the High-Speed Rail Local Master Plan Pilot Program, applicable to specified cities and counties, and would require each of those jurisdictions to prepare and adopt, by ordinance, a master plan for development in the areas surrounding the high-speed rail system in each jurisdiction. The bill would require the master plan to include incentives for encouraging investment and coherent growth in the areas surrounding the high-speed rail system in each participating jurisdiction. The bill would also require the participating jurisdictions to collaborate with the State Air Resources Board to develop incentives to encourage development while concurrently reducing greenhouse gas emissions,

consistent with or pursuant to the California Global Warming Solutions Act of 2006. The bill would require the master plan to be consistent with the jurisdiction's general plan and the regional sustainable communities strategy. By adding to the duties of local government officials, this bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the cities and counties described above.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 9.5 (commencing with Section 66050)
2 is added to Division 1 of Title 7 of the Government Code, to read:

3
4 CHAPTER 9.5. HIGH-SPEED RAIL LOCAL MASTER PLAN PILOT
5 PROGRAM
6

7 66050. This chapter shall be known and may be cited as the
8 High-Speed Rail Local Master Plan Pilot Program.

9 66051. (a) The cities and counties in the central valley that
10 have an approved station, as authorized and approved by the
11 High-Speed Rail Authority, shall participate in the pilot program.
12 The planning agency of each participating jurisdiction shall prepare
13 and adopt, by ordinance, a master plan for development of the
14 areas surrounding the high-speed rail system in each jurisdiction.

15 (b) The master plan shall include incentives for encouraging
16 investment and coherent growth in the areas surrounding the
17 high-speed rail system.

18 (c) Each participating jurisdiction shall collaborate with the
19 State Air Resources Board to develop incentives to encourage
20 development while concurrently reducing greenhouse gas
21 emissions, consistent with or pursuant to the California Global
22 Warming Solutions Act of 2006 (Part 1 (commencing with Section
23 38500) of Division 25.5 of the Health and Safety Code).

1 (d) The master plan shall be consistent with the jurisdiction's
2 general plan and the regional sustainable communities strategy,
3 adopted pursuant to paragraph (2) of subdivision (b) of Section
4 65080.

5 SEC. 2. The Legislature finds and declares that a special law
6 is necessary and that a general law cannot be made applicable
7 within the meaning of Section 16 of Article IV of the California
8 Constitution because of the need to commence local planning
9 relating to the high-speed rail system in the region of the state
10 where the initial segments of the system will be located.

11 SEC. 3. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 a local agency or school district has the authority to levy service
14 charges, fees, or assessments sufficient to pay for the program or
15 level of service mandated by this act, within the meaning of Section
16 17556 of the Government Code.